

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA)	
)	
v.)	Criminal No. 12-236
)	
CHARLES E. ROCHA)	

POSITION OF THE GOVERNMENT WITH RESPECT TO SENTENCING FACTORS

AND NOW comes the United States of America, by its attorneys, David J. Hickton, United States Attorney for the Western District of Pennsylvania, and Leo M. Dillon, Assistant United States Attorney for said district and, pursuant to U.S.S.G. § 6A1.2 and LCR 32C.4, represents as follows:

1. The government received the tentative Presentence Investigation Report (PSR) on 6/6/13, and conferred with U.S. Probation Officer Jeffrey A. Birt and defense counsel Michael J. Healey on 6/11/13. The government has no objections to the PSR. (The government found the tentative PSR to contain only minor errors, which have been corrected in the final version. The government does note, however, an incomplete sentence regarding the plea agreement at PSR ¶57, which should probably be amended to read: "The plea agreement in this case does not impact the calculation of the guideline range.")

2. The government is aware of no grounds for: (a) departure from the advisory guideline sentencing range; or, (b) a sentence outside of the advisory guideline sentencing range, pursuant to the provisions of 18 U.S.C. § 3553(a).

Respectfully submitted,

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United States Attorney

s/ Leo M. Dillon

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